

UNITED STATES DISTRICT COURT  
FOR THE  
EASTERN DISTRICT OF CALIFORNIA

OFFICE OF THE CLERK  
2500 Tulare Street  
Fresno, CA 93721

U.S. District Court for the  
Northern District of CA  
450 Golden Gate Avenue  
San Francisco, CA 94102-3489

RE: USA vs. ~~J. HELLINGS~~ *MIGUEL QUINTERO* *CR08-327MMC*  
USDC No.: 1:06-CR-00171-OWW

Dear Clerk,

Pursuant to the order transferring the above captioned case to your court, dated  
May 20, 2008 , transmitted herewith are the following documents.

**Certified Copies of Indictment, Judgment and Docket Sheet**

Documents maintained electronically by the district court are accessible through  
PACER for the Eastern District of California at <https://ecf.caed.uscourts.gov>.

Please acknowledge receipt on the extra copy of this letter and return to the Clerk's Office.

Very truly yours,

May 22, 2008

/s/ J. Hellings

Deputy Clerk

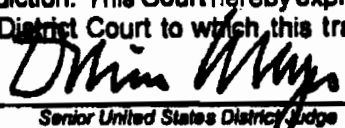

RECEIVED BY:

\_\_\_\_\_  
Please Print Name

DATE RECEIVED:

NEW CASE  
NUMBER:


\_\_\_\_\_  
\_\_\_\_\_

<b>TRANSFER OF JURISDICTION</b> <b>E-filing</b>		<b>FILED</b> <b>MAY 20 2008</b> CLERK, U.S. DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA		<b>DOCKET NUMBER (Tran. Court)</b> 21-08CR00171-05 OWW
				<b>DOCKET NUMBER (Rec. Court)</b> MAY 13 48
<b>NAME AND ADDRESS OF SUPERVISED RELEASEE</b>  MIGUEL QUINTERO 12601 Hawncreek Road, Potter Valley, CA (City/State only)		<b>DISTRICT</b>  Eastern District of California	<b>DIVISION</b>  Southern	
		<b>NAME OF SENTENCING JUDGE</b>  Oliver W. Wanger		
		<b>DATES OF SUPERVISED RELEASE:</b>	<b>FROM</b> 01/22/2008	<b>TO</b> 02/21/2011
<b>OFFENSE</b> 21 USC 846, 841(a)(1) and (b)(1)(D)-Conspiracy to Possess Marijuana with the Intent to Distribute				
<b>PART 1 - ORDER TRANSFERRING JURISDICTION</b>				
<b>UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA</b>				
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the supervised releasee named above be transferred with the records of the Court to the United States District Court for the Northern District of California upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court. <u>4-28-08</u> Date				
 Senior United States District Judge				
<b>RESTITUTION:</b> If this offender has an order of restitution which is to be paid jointly and severally, the offender shall send payments to the sentencing district Court Clerk's Office and no financial record shall be created in the receiving district.				
*This sentence may be deleted in the discretion of the transferring Court.				
<b>PART 2 - ORDER ACCEPTING JURISDICTION</b>				
<b>UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA</b>				
IT IS HEREBY ORDERED that jurisdiction over the above-named supervised releasee be accepted and assumed by this Court from and after the entry of this order. <u>5/8/08</u> Effective Date				
 United States District Judge				

CC: United States Attorney  
 FLU Unit-United States Attorney's Office  
 Fiscal Clerk-Clerk's Office

I hereby attest and certify on 5/22/08  
 that the foregoing document is a full, true  
 and correct copy of the original on file in my  
 office and in my legal custody.

VICTORIA C. MINOR  
 CLERK, U.S. DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA

By  Deputy

MCGREGOR W. SCOTT  
United States Attorney  
LAUREL J. MONTOYA  
Assistant U.S. Attorney  
4401 Federal Building  
2500 Tulare Street  
Fresno, California 93721  
Telephone: (559) 497-4000

**FILED**

MAY - 4 2006

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY                      DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERASMO SILVA,  
SUZANNE BARNETT,  
JOSE QUINTANILLA SILVA,  
NICANOR MANERA,  
MIGUEL QUINTERO,  
DUSTIN SMILEY,  
WESLEY SMILEY,  
GEORGE BUCHHOLZ,  
MICHAEL WATTENBARGER,  
ERNIE LIPPS,  
RUSTEN PAHL,  
ISMAEL ALVAREZ DELEMORA, and  
JOSE ASUNCION ROMO.

Defendants.

CR. NO: 06CR00171 AM

VIOLATION: 21 U.S.C. §§ 846 and  
841(a)(1) - Conspiracy to  
Distribute and Possess  
Methamphetamine and Marijuana  
With the Intent to Distribute;  
18 U.S.C. § 922(g)(3) - Unlawful  
User of a Controlled Substance  
In Possession of a Firearm; 21  
U.S.C. § 843(b) - Using a  
Communication Facility to  
Facilitate a Felony; 8 U.S.C. §  
1326 - Deported Alien Found in  
the United States

I N D I C T M E N T

Case 1:06-cr-00171-OWW Document 10 Filed 05/04/2006 Page 2 of 4

1 COUNT ONE: [21 U.S.C. §§ 846 and 841(a)(1) - Conspiracy to  
2 Distribute and Possess Methamphetamine and Marijuana  
with the Intent to Distribute]

3 The Grand Jury charges: T H A T

4 ERASMO SILVA,  
5 SUZANNE BARNETT,  
6 JOSE QUINTANILLA SILVA,  
7 NICANOR MANERA,  
8 MIGUEL QUINTERO,  
9 DUSTIN SMILEY,  
10 WESLEY SMILEY,  
11 GEORGE BUCHHOLZ,  
12 MICHAEL WATTENBARGER,  
13 ERNIE LIPPS,  
14 ISMAEL ALVAREZ DELAMORA, and  
15 JOSE ASUNCION ROMO,

16 defendants herein, beginning on a time unknown but not later than  
17 on or about October 9, 2003, and continuing to on or about April  
18 21, 2006, in the State and Eastern District of California, and  
19 elsewhere, did knowingly and intentionally conspire and agree with  
20 each other, and other persons, both known and unknown to the Grand  
Jury, to possess 50 grams or more of methamphetamine with the  
intent to distribute, possess marijuana with the intent to  
distribute, Schedule I and II controlled substances, in violation  
of Title 21, United States Code, Sections 846 and 841(a)(1),  
(b)(1)(A), and (b)(1)(D).

21 COUNT TWO: [18 U.S.C. § 922(g)(3) - Unlawful User of A  
22 Controlled Substance In Possession of a Firearm]

23 The Grand Jury further charges: T H A T

24 GEORGE BUCHHOLZ,  
25 defendant herein, on or about April 21, 2006, in the State and  
26 Eastern District of California, being an unlawful user of a  
27 controlled substance, did knowingly possess a firearm which had  
28 been shipped and transported in interstate commerce, that is: the

Case 1:06-cr-00171-OWW Document 10 Filed 05/04/2006 Page 3 of 4

1 defendant, was in possession of a Savage Arms .20 gauge shotgun, in  
2 violation of Title 18, United States Code, Section 922(g)(3).

3 COUNT THREE: [21 U.S.C. § 843(b) - Using Communication  
4 Facility to Facilitate the Commission of a Felony]

5 The Grand Jury further charges: T H A T

6 RUSTEN PAHL,

7 defendant herein, on or about and between October 13, 2005 and  
8 October 18, 2005, in the State and Eastern District of California,  
9 and elsewhere, did knowingly and intentionally use a communication  
10 facility, to wit: a telephone, to facilitate the commission of an  
11 act or acts constituting a felony narcotics offense, to wit:  
12 possession of marijuana with the intent to distribute and  
13 conspiracy to distribute marijuana, a Schedule I controlled  
14 substance, a violation of Title 21, United States Code Sections 846  
15 & 841(a)(1), all in violation of Title 21 U.S.C. § 843(b).

16 COUNT FOUR: [8 U.S.C. § 1326 - Deported Alien Found in the  
17 United States]

18 The Grand Jury further charges: T H A T

19 ERASMO SILVA,

20 defendant herein, an alien, on or about December 21, 1999, was  
21 deported or removed from the United States and thereafter on or  
22 about November 23, 2004, was found within the State and Eastern  
23 District of California without having obtained the consent of the  
24 Attorney General of the United States or his successor, the  
25 Secretary for the Department of Homeland Security (Title 6, United  
26 States Code, Sections 202(3), (4) and 557) for a reapplication for

27 //

28 //




Case 1:06-cr-00171-OWW Document 10 Filed 05/04/2006 Page 4 of 4

1 admission into the United States, in violation of Title 8, United  
2 States Code, Section 1326.

3 A TRUE BILL.

4  
5 ISI  
6 FOREPERSON

7  
8 MCGREGOR W. SCOTT  
9 United States Attorney

10 By   
11 MARK E. CULLERS,  
12 Assistant U.S. Attorney  
13 Chief, Fresno Office  
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AO 257  
(Rev. 10/95)

PER 18 U.S.C. 3170

Case 1:06-cr-00171-OWW Document 10-7 Filed 05/04/2006 Page 1 of 2  
**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- IN U.S. DISTRICT COURT**

BY

☐ COMPLAINT    ☐ INFORMATION    ☒ INDICTMENT  
☐ SUPERSEDING INFORMATION    ☐ SUPERSEDING

Name of District Court, and/or Judge Magistrate Location (city)

**EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO, CALIFORNIA****OFFENSE CHARGED**

SEE INDICTMENT

 \_\_\_\_\_ Petty  
 \_\_\_\_\_ Minor  
 \_\_\_\_\_ Misdemeanor  
☒ Felony

Place of Offense

U.S.C. Citation

**DEFENDANT -- U.S. vs.  
MIGUEL QUINTERO**

Address

Birth  
Date

06 CR 00171 AWI

 Male \_\_\_\_\_ Alien \_\_\_\_\_  
 Female \_\_\_\_\_ (if applicable)

(Optional unless a juvenile)

**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

DEA

☐ this person is awaiting trial in another Federal or State Court, give name of court.

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

☒ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☒ U.S. Att'y    ☐ Defense
SHOW  
DOCKET NO.

1:06 cr 182 OWW

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceeding or appearance(s) before U.S. Magistrate regarding this defendant were recorded under
MAGISTRATE  
CASE NO.Name and Office of Person  
Furnishing information on

THIS FORM

DENISE CHAMPION

☒ U.S. Att'y    ☐ Other U.S. Agency
Name of Asst. U.S. Att'y  
(if assigned)

LAUREL J. MONTOYA

**DEFENDANT****IS NOT IN CUSTODY**
 1) ☐ Has not been arrested, pending outcome this proceeding if not detained give date any prior summons was served on above charges

 2) ☐ is a Fugitive

 3) ☐ Is on Bail or Release from (show District)
**IS IN CUSTODY**
 4) ☒ On this charge

 5) ☐ On another conviction

☒ Fed'l    ☐ State

 6) ☐ Awaiting trial on other charges  
 If answer to (6) is "Yes", show name of institution
Has detainer  
been filed?

Yes

No

If  
"Yes"  
give  
dateDATE OF  
ARREST ▶

Mo.    Day    Year

Or ... if arresting Agency &amp; Warrant were not Federal

DATE TRANSFERRED  
TO U.S. CUSTODY ▶

Mo.    Day    Year

☐ This report amends AO 257 previously submitted
**ADDITIONAL INFORMATION OR COMMENTS**
 10 years to life; \$4 million fine  
 Defendant in custody; next court date 5/15/06

**PENALTY SLIP**

**DEFENDANT:** MIGUEL QUINTERO

**VIOLATION:** Count 1  
21 U.S.C. §§ 846 and 841(a)(1) - Conspiracy to Distribute and Possess  
Methamphetamine and Marijuana with the Intent to Distribute

**PENALTY:** 10 years to life imprisonment  
Not more than \$4 million fine

1: 06 CR 00171 AWI



# United States District Court

## Eastern District of California

UNITED STATES OF AMERICA  
v.  
**MIGUEL QUINTERO**

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)  
Case Number: **1:06CR00171-005**

**Barbara O'Neill**  
Defendant's Attorney

### THE DEFENDANT:

- ☒ pleaded guilty to count(s): One of the Superseding Information.  
☐ pleaded nolo contendere to counts(s) \_\_\_ which was accepted by the court.  
☐ was found guilty on count(s) \_\_\_ after a plea of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 846, 841(a)(1) and (b)(1)(D)	Conspiracy to Possess Marijuana With the Intent to Distribute	10/21/2005	One

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on counts(s) \_\_\_ and is discharged as to such count(s).  
☐ Count(s) \_\_\_ (is)(are) dismissed on the motion of the United States.  
☒ Indictment is to be dismissed by District Court on motion of the United States.  
☐ Appeal rights given. ☒ Appeal rights waived.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

December 3, 2007  
Date of Imposition of Judgment

/s/ OLIVER W. WANGER  
Signature of Judicial Officer

**OLIVER W. WANGER**, United States District Judge  
Name & Title of Judicial Officer

December 6, 2007  
Date

CASE NUMBER: 1:06CR00171-005  
DEFENDANT: MIGUEL QUINTERO

Judgment - Page 2 of 6

## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 24 months.

- ☒ The court makes the following recommendations to the Bureau of Prisons:  
The Court recommends that the defendant be incarcerated in a California facility, but only insofar as this accords with security classification and space availability. The Court recommends the defendant participate in the 500-Hour Bureau of Prisons Substance Abuse Treatment Program.
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district.  
☐ at \_\_\_ on \_\_\_\_.  
☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:  
☐ before \_ on \_\_\_\_.  
☐ as notified by the United States Marshal.  
☐ as notified by the Probation or Pretrial Services Officer.  
If no such institution has been designated, to the United States Marshal for this district.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
Deputy U.S. Marshal

CASE NUMBER: 1:06CR00171-005  
 DEFENDANT: MIGUEL QUINTERO

Judgment - Page 3 of 6

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 36 months.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed four (4) drug tests per month.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall submit to the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register and comply with the requirements in the federal and state sex offender registration agency in the jurisdiction of conviction, Eastern District of California, and in the state and in any jurisdiction where the defendant resides, is employed, or is a student. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere, and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B-CAED (Rev. 3/04) Sheet 3 - Supervised Release  
CASE NUMBER: 1:06CR00171-005  
DEFENDANT: MIGUEL QUINTERO

Judgment - Page 4 of 6

### **SPECIAL CONDITIONS OF SUPERVISION**

1. The defendant shall submit to the search of his person, property, home, and vehicle by a United States Probation Officer, or any other authorized person under the immediate and personal supervision of the probation officer, based upon reasonable suspicion, without a search warrant. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
2. As directed by the probation officer, the defendant shall participate in a correctional treatment program (inpatient or outpatient) to obtain assistance for drug or alcohol abuse.
3. As directed by the probation officer, the defendant shall participate in a program of testing (i.e. breath, urine, sweat patch, etc.) to determine if he has reverted to the use of drugs or alcohol.
4. The defendant shall not possess or have access to any paging device or cellular phone without the advance permission of the probation officer. The defendant shall provide all billing records for such devices, whether used for business or personal, to the probation officer upon request.
5. As directed by the probation officer, the defendant shall participate in a co-payment plan for treatment or testing and shall make payment directly to the vendor under contract with the United States Probation Office of up to \$25 per month.
6. The defendant shall register, as required in the jurisdiction in which he resides, as a drug offender.

CASE NUMBER: 1:06CR00171-005  
DEFENDANT: MIGUEL QUINTERO

Judgment - Page 5 of 6

**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$ 100.00	\$ waived	\$

- ☐ The determination of restitution is deferred until \_\_. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- ☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
<u>TOTALS:</u>	\$ __	\$ __	

- ☐ Restitution amount ordered pursuant to plea agreement \$ \_\_
- ☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☐ The interest requirement is waived for the ☐ fine ☐ restitution
- ☐ The interest requirement for the ☐ fine ☐ restitution is modified as follows:

\*\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.



CASE NUMBER: 1:06CR00171-005  
 DEFENDANT: MIGUEL QUINTERO

Judgment - Page 6 of 6

## SCHEDULE OF PAYMENTS

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A** ☒ Lump sum payment of \$ 100.00 due immediately, balance due
- ☐ not later than \_\_, or  
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C** ☐ Payment in equal \_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_ over a period of \_\_ (e.g., months or years), to commence \_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal \_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_ over a period of \_\_ (e.g., months or years), to commence \_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within \_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate:

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:



PROB22\_OUT

**U.S. District Court  
Eastern District of California - Live System (Fresno)  
CRIMINAL DOCKET FOR CASE #: 1:06-cr-00171-OWW-5  
Internal Use Only**

Case title: USA v. Silva et al

Date Filed: 05/04/2006

Date Terminated: 12/03/2007

Assigned to: Judge Oliver W.  
Wanger

**Defendant (5)**

**Miguel Quintero**

*TERMINATED: 12/03/2007*

represented by **Barbara Hope O'Neill**

Barbara Hope O'Neill

Attorney at Law

2014 Tulare Street, Suite 510

Fresno, CA 93721

(559) 459-0655

Fax: (559) 459-0656

Email: tajfalaw@yahoo.com

**LEAD ATTORNEY**

**ATTORNEY TO BE**

**NOTICED**

**Designation: CJA**

**Appointment**

I hereby attest and certify on 5/22/08  
that the foregoing document is a full, true  
and correct copy of the original on file in my  
office and in my legal custody.

VICTORIA C. MINOR

CLERK, U.S. DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

By *[Signature]* Deputy

**Pending Counts**

None

**Disposition**

**Highest Offense Level**

**(Opening)**

None

**Terminated Counts**

**Disposition**

21:846 & 841 (a)(1) -  
CONSPIRACY TO  
DISTRIBUTE AND  
POSSESS  
METHAMPHETAMINE  
AND MARIJUANA WITH  
THE INTENT TO  
DISTRIBUTE  
(1)

Dismissed

21 USC 846 and 841(a)(1)  
CONSPIRACY TO  
DISTRIBUTE AND  
POSSESS  
METHAMPHETAMINE  
AND MARIJUANA WITH  
THE INTENT TO  
DISTRIBUTE  
(1s)

Dismissed

21 USC 846 and 841(a)(1)  
CONSPIRACY TO  
DISTRIBUTE AND  
POSSESS  
METHAMPHETAMINE  
AND MARIJUANA WITH  
THE INTENT TO  
DISTRIBUTE  
(1ss)

Dismissed

21:846,841(a)(1) and (b)(1)  
(D) - Conspiracy to Possess  
Marijuana with the Intent to  
Distribute  
(1sss)

Custody 24 months. Special  
Assessment \$100. Fine  
Waived. Supervised Release  
36 months. Appeal Waived.

**Highest Offense Level**

**(Terminated)**

Felony

**Complaints**

None

**Disposition**

**Plaintiff**

USA

represented by **Laurel Jackson Montoya**  
United States Attorney  
2500 Tulare Street  
Suite 4401  
Fresno, CA 93721  
(559) 497-4007  
Fax: (559) 497-4099  
Email:  
laurel.j.montoya@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE*  
*NOTICED*

**Date  
Filed**

**#**

**Docket Text**

05/04/2006

**10**

INDICTMENT as to Erasmo Silva (1) count(s) 1, 4, Suzanne Barnett (2) count(s) 1, Jose Quintanilla Silva (3) count(s) 1, Nicanor Manera (4) count(s) 1, Miguel Quintero (5) count(s) 1, Dustin Smiley (6) count(s) 1, Wesley Smiley (7) count(s) 1, George Buchholz (8) count(s) 1, 2, Michael Wattenbarger (9) count(s) 1, Ernie Lipps (10) count(s) 1, Rusten Pahl (11) count(s) 3, Ismael Alvarez (12) count(s) 1, Jose Asucion Romo (13) count(s) 1. (Attachments: # 1 True Bill# 2 Defendant Information Sheet - Erasmo Silva# 3 Defendant Information Sheet - Barnett# 4 Defendant Information Sheet - Jose Quintanilla Silva# 5

Defendant Information Sheet - Manera# 6 Defendant  
 Information Sheet - Quintero# 7 Defendant  
 Information Sheet - Dustin Smiley# 8 Defendant  
 Information Sheet - Wesley Smiley# 9 Defendant  
 Information Sheet - Buchholz# 10 Defendant  
 Information Sheet - Wattenbarger# 11 Defendant  
 Information Sheet - Lipps# 12 Defendant Information  
 Sheet - Pahl# 13 Defendant Information Sheet -  
 Delemora# 14 Defendant Information Sheet - Romo)  
 (Keeler, P) (Entered: 05/05/2006)

05/09/2006 17 ORDER REASSIGNING CASE; New case # 1:06-cr-  
 171 OWW, as to Jose Asucion Romo, Ismael Alvarez,  
 Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva,  
 Nicanor Manera, Miguel Quintero, Dustin Smiley,  
 Wesley Smiley, George Buchholz, Michael  
 Wattenbarger, Ernie Lipps, Rusten Pahl signed by  
 Judge Oliver W. Wanger on 5/7/6. (Kusamura, W)  
 (Entered: 05/09/2006)

05/24/2006 30 MINUTES (TEXT Only) for proceedings held before  
 Judge Sandra M. Snyder on 5/24/2006:  
 ARRAIGNMENT as to Miguel Quintero (5) Count 1  
 held - NOT GUILTY PLEA ENTERED; discovery  
 requested & is available for paneled counsel or by  
 5/26/06. Defendant was removed from NDofCA -  
 DETENTION HEARING set for 5/26/2006 at 11:00  
 AM in Courtroom 7 (SMS) before Judge Sandra M.  
 Snyder. STATUS CONFERENCE set for 6/5/2006 at  
 01:30 PM in Courtroom 3 (OWW) before Judge Oliver  
 W. Wanger with co-dfts. Government Counsel L.  
 Montoya present. Defense Counsel F. Zepeda, spec  
 appearance - paneled appointed present. Custody  
 Status: in Custody. Court Reporter/CD Number: A.  
 Alvarez. (Herman, H) (Entered: 05/25/2006)

05/24/2006 32 (Court only) CJA 23 FINANCIAL AFFIDAVIT by  
 Miguel Quintero. (Rooney, M) (Entered: 05/26/2006)



- 05/26/2006 34 MINUTES (TEXT Only) for proceedings held before Judge Sandra M. Snyder on 5/26/2006: DETENTION HEARING as to Miguel Quintero (5) held, submit - defendant Ordered DETAINED. MOTION HEARING for appointment of counsel held - attorney O'Neill appointed. Government Counsel L. Montoya present. Defense Counsel Barbara O'Neill, appointed present. Custody Status: in Custody. Court Reporter/CD Number: ECRO. (Herman, H) (Entered: 05/30/2006)
- 05/26/2006 35 NOTICE of ATTORNEY APPEARANCE: Barbara Hope O'Neill appearing for Miguel Quintero (Kusamura, W) (Entered: 05/31/2006)
- 06/02/2006 39 CJA 20 as to Miguel Quintero: Appointment of Attorney Barbara Hope O'Neill for Miguel Quintero; order signed by Judge Oliver W. Wanger on 5/26/06. (Rooney, M) (Entered: 06/02/2006)
- 06/02/2006 40 DETENTION ORDER as to Miguel Quintero (5) - defendant Ordered DETAINED. signed by Judge Sandra M. Snyder on 6/2/2006. (Herman, H) (Entered: 06/02/2006)
- 06/05/2006 43 MINUTES for proceedings held before Judge Oliver W. Wanger : TEXT ONLY ENTRY -STATUS CONFERENCE as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Wesley Smiley, George Buchholz, Michael Wattenbarger, Rusten Pahl held on 6/5/2006. Further Status Conference set for 7/5/2006 at 01:30 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. XT Start: 06/05/2006 Stop: 7/5/2006 Court Reporter/CD Number: K. Lopez. (Lucas, G) (Entered: 06/06/2006)
- 06/30/2006 70 MOTION For a motion/briefing schedule *to respond to defense motions* by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne

Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl. Motion Hearing set for 7/5/2006 at 01:30 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Montoya, Laurel) (Entered: 06/30/2006)


07/05/2006 71 MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger :STATUS CONFERENCE as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Rusten Pahl held on 7/5/2006. Motions due by 8/7/2006. Responses due by 9/6/2006. Motion Hearing set for 9/11/2006 at 01:30 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Currently pending motions also continued to new date. XE Start: 07/05/2006 Stop: 09/11/2006 Court Reporter/CD Number: P. Crawford. (Lucas, G) (Entered: 07/06/2006)


08/21/2006 94 STIPULATION and PROPOSED ORDER by USA. (Montoya, Laurel) (Entered: 08/21/2006)


09/07/2006 96 SUPERSEDING INDICTMENT as to Erasmo Silva (1) count(s) 1s, 5s, 6s, Suzanne Barnett (2) count(s) 1s, Jose Quintanilla Silva (3) count(s) 1s, 7s, Nicanor Manera (4) count(s) 1s, Miguel Quintero (5) count(s) 1s, Dustin Smiley (6) count(s) 1s, Wesley Smiley (7) count(s) 1s, George Buchholz (8) count(s) 1s, 2s, Michael Wattenbarger (9) count(s) 1s, Ernie Lipps (10) count(s) 1s, Rusten Pahl (11) count(s) 3s, Ismael Alvarez DeLaMora (12) count(s) 1s, Jose Asucion Romo (13) count(s) 1s, Ruben Contreras (14) count(s) 1, 4, Jose Luis Ortiz Hernandez (15) count(s) 1. (Attachments: # 1 true bill # 2 dft info-Erasmo Silva # 3 dft inf-Suzanne Barnett # 4 dft info-Jose Quintanilla Silva # 5 dft info-Nicanor Manera # 6 dft info-Miguel



Quintero # 7 dft info-Dustin Smiley # 8 dft info-Wesley Smiley # 9 dft info-George Buchholz # 10 dft info-Michael Wattenbarger # 11 dft info-Ernie Lipps # 12 dft info-Rusten Pahl # 13 dft info-Ismael Alvarez De La Mora # 14 dft info-Jose Asuncion Romo # 15 dft info-Ruben Contreras # 16 dft info-Jose Luis Ortiz Hernandez) (Rooney, M) (Entered: 09/08/2006)

09/14/2006  98 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez. *Defendant Romo's Motion for Informant Disclosure* (Montoya, Laurel) (Entered: 09/14/2006)

09/14/2006  99 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez. *Defendant Romo's Motion for Discovery* (Montoya, Laurel) (Entered: 09/14/2006)

09/14/2006  100 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez. *Defendant Barnett's Motion for FRE 404(b) Evidence* (Montoya, Laurel) (Entered: 09/14/2006)

09/14/2006  101 MEMORANDUM/RESPONSE in OPPOSITION by

USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez.  
*Defendant Barnett's Motion for Brady Information* (Montoya, Laurel) (Entered: 09/14/2006)

09/14/2006 • 102 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez.  
*Defendant Barnett's Motion for Discovery* (Montoya, Laurel) (Entered: 09/14/2006)

09/14/2006 • 103 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez.  
*Defendant Barnett's Motion for FRCP 12 Information* (Montoya, Laurel) (Entered: 09/14/2006)

09/14/2006 • 104 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez.  
*Defendant D. Smiley's Motion for Discovery* (Montoya, Laurel) (Entered: 09/14/2006)

- 09/14/2006 105 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez. *Defendant E. Silva's Motion for Discovery* (Montoya, Laurel) (Entered: 09/14/2006)
- 09/14/2006 106 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez. *Defendant J. Silva's Motion for Brady Information* (Montoya, Laurel) (Entered: 09/14/2006)
- 09/14/2006 107 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez. *Defendant J. Silva's Motion for Discovery* (Montoya, Laurel) (Entered: 09/14/2006)
- 09/15/2006 108 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez. *Defendant D. Smiley's Motion to Sever* (Montoya, Laurel) (Entered: 09/15/2006)



09/18/2006 109 MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger :MOTION HEARING as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Rusten Pahl held on 9/18/2006. All defendants are arraigned on the Superseding Indictment and enter pleas of not guilty. Further motions to be filed by 10/23/2006. Response due by 11/13/2006. Hearing on all pending motions and any further motions set for 12/4/2006 at 01:30 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Lucas, G) (Entered: 09/18/2006)

10/05/2006 113 SECOND SUPERSEDING INDICTMENT as to Erasmo Silva (1) count(s) 1ss, 5ss, 6ss, Suzanne Barnett (2) count(s) 1ss, Jose Quintanilla Silva (3) count(s) 1ss, 7ss, Nicanor Manera (4) count(s) 1ss, Miguel Quintero (5) count(s) 1ss, Dustin Smiley (6) count(s) 1ss, Wesley Smiley (7) count(s) 1ss, George Buchholz (8) count(s) 1ss, 2ss, Michael Wattenbarger (9) count(s) 1ss, Ernie Lipps (10) count(s) 1ss, Rusten Pahl (11) count(s) 3ss, Ismael Alvarez DeLaMora (12) count(s) 1ss, Jose Asucion Romo (13) count(s) 1ss, Ruben Contreras (14) count(s) 1s, 4s, Jose Luis Ortiz Hernandez (15) count(s) 1s. (Attachments: # 1 true bill # 2 dft info - Erasmo Silva # 3 dft info - Suzanne Barnett # 4 dft info - Jose Quintanilla Silva # 5 dft info - Nicanor Manera # 6 dft info - Miguel Quintero # 7 dft info - Dustin Smiley # 8 dft info - Wesley Smiley # 9 dft info - George Buchholz # 10 dft info - Michael Wattenbarger # 11 dft info - Ernie Lipps # 12 dft info - Rusten Pahl # 13 dft info - Ismael Alvarez Delemora # 14 dft info - Jose Asuncion Romo # 15 dft info - Ruben Contreras # 16 dft info - Jos Luis Ortiz Hernandez) (Rooney, M) (Entered: 10/06/2006)

- 10/26/2006 126 ORDER DIRECTING that the United States and its agencies including DEA, ATF, and/or the US Marshal Service, are authorized to maintain and preserve the assets listed in this order until the conclusion of the instant criminal matter or pending further order of this court as to all defendants; order signed by Judge Oliver W. Wanger on 10/24/06. (Rooney, M) (Entered: 10/26/2006)
- 11/16/2006 141 CLERK'S NOTICE (TEXT ONLY)to W. Quinlan re attachment #1 139 MOTION for RECONSIDERATION. When filing attachments with your main document, you are required to identify the attachment(s) by selecting the Type and/or entering a Description of the document. These fields appear in Step 2 of the attachment screen. If you select a Type, do not repeat the same text in the Description field. If you need assistance, please contact the CM/ECF help desk at 866-884-5444. (Gil-Garcia, A) (Entered: 11/16/2006)
- 11/29/2006 144 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez re 123 MOTION for DISCOVERY. (Montoya, Laurel) (Entered: 11/29/2006)
- 11/29/2006 145 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez re 116 MOTION for DISCOVERY. (Montoya, Laurel)

(Entered: 11/29/2006)

- 11/30/2006 147 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Jose Luis Ortiz Hernandez. *Defendant Wattenbarger's Motion for Discovery, for an Evidentiary Hearing, and to Quash and to Suppress Evidence* (Montoya, Laurel) (Entered: 11/30/2006)
- 12/04/2006 149 MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger :MOTION HEARING as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Rusten Pahl, Jose Luis Ortiz Hernandez held on 12/4/2006. All defendants arraigned on the Superseding Indictment and enter pleas of not guilty. Discovery motions heard and ruled upon. Statement of Erasmo Silva and the debriefing of the informant to be provided to the court for review under seal. Wattenbergers motion for reconsideration is heard. Government to provide the Marshal policy regarding contact visits. Government brief due by 12/18/2006. Defendants reply due by 1/3/2007. Matter then submitted. Motions due by 9/7/2007. Responses due by 9/13/2007. Trial Confirmation Hearing set for 9/17/2007 at 01:30 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Jury Trial set for 10/10/2007 at 01:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. XT Start: 12/4/2006 Stop: 10/10/2007 Court Reporter/CD Number: K. Lopez. Interpreter D. Pflug present. (Lucas, G) (Entered: 12/05/2006)



- 12/06/2006 150 TRANSCRIPT of Hearing re defendant's motion for modification of pretrial detention as to Erasmo Silva held on 11/8/2006 before Judge Lawrence J. O'Neill. Court Reporter: Petrilla Reporting. (TEXT ONLY) (Alvarez, A) (Entered: 12/06/2006)
- 08/03/2007 209 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Sr, Jose Luis Ortiz Hernandez re 197 MOTION for BILL of PARTICULARS *Defendant Michael Wattenbarger's Notice of Motion, Motion and Points and Authorities for a Bill of Particulars.* (Montoya, Laurel) (Entered: 08/03/2007)
- 08/03/2007 210 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Sr, Jose Luis Ortiz Hernandez. (Montoya, Laurel) (Entered: 08/03/2007)
- 08/03/2007 211 MEMORANDUM/RESPONSE in OPPOSITION by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Sr, Jose Luis Ortiz Hernandez re 199 MOTION to DISMISS *Notice of Motion and Points and Authorities to Dismiss Second Superseding Indictment.* (Montoya, Laurel) (Entered: 08/03/2007)
- 09/10/2007 241 MINUTES (Text Only) for proceedings held before

Judge Oliver W. Wanger :STATUS CONFERENCE as to Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Sr, Jose Luis Ortiz Hernandez continued, for status and to set trial date, to 9/17/2007 at 01:30 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Government Counsel L. Montoya present. Defense Counsel R. Beshwate, J. Levie appearing for herself and for P. Milrod, R. Litman, B. O'Neill, D. Blickenstaff, S. Sciandra, J. Homola, S. Crawford - appearing for himself and for D. Harralson present. Custody Status: E. Silva, J. Quintanilla, N.r Manera, M. Quintero, D. Smiley, G. Buchholz, I. DeLa Mora, R. Contreras, E. Lipps - Custody; S. Barnett, W Smiley, R. Pahl, M. Wattenbarger, J. Hernandez - Bond. Court Reporter/CD Number: K. Lopez. Interpreter D. Pflug present. (Timken, A) (Entered: 09/13/2007)

09/13/2007 242 NOTICE TO COUNSEL - TEXT ONLY ENTRY: The appearance of all counsel at the hearing set for 9/17/2007 at 1:30 PM before Judge Wanger is mandatory. If other counsel will be appearing on your behalf, they must have the authority to set a firm trial date on your calendar. (Lucas, G) (Entered: 09/13/2007)

09/14/2007 243 PLEA AGREEMENT as to Miguel Quintero. (Montoya, Laurel) (Entered: 09/14/2007)

09/14/2007 244 WAIVER of INDICTMENT by Miguel Quintero. (Montoya, Laurel) (Entered: 09/14/2007)


09/14/2007 248 SUPERSEDING INFORMATION as to Miguel Quintero (5) count(s) 1sss. (Hellings, J) (Entered: 09/18/2007)


09/17/2007 250 MINUTES (Text Only) for proceedings held before


Judge Oliver W. Wanger :CHANGE of PLEA HEARING as to Miguel Quintero held on 9/17/2007. GUILTY PLEA ENTERED by Miguel Quintero (5) as to Count 1sss. Sentencing set for 12/3/2007 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Government Counsel L. Montoya present. Defense Counsel B. O'Neill present. Custody Status: In Custody. Court Reporter/CD Number: K. Lopez. (Lucas, G) (Entered: 09/18/2007)


- 12/03/2007 262 MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger :SENTENCING held on 12/3/2007 for Miguel Quintero (5), Count(s) 1, 1s, 1ss, Dismissed; Count(s) 1sss, Custody 24 months. Special Assessment \$100. Fine Waived. Supervised Release 36 months. Appeal Waived. The Court recommends a California Institute. The Court also recommends the 500 hour program. The Court grants the government's motion to dismiss the remaining counts. DEFENDANT TERMINATED. Government Counsel L. Montoya present. Defense Counsel B. O'Neill present. Custody Status: Custody. Court Reporter/CD Number: P. Crawford. (Timken, A) (Entered: 12/03/2007)
- 12/06/2007 265 JUDGMENT and COMMITMENT as to Miguel Quintero signed by Judge Oliver W. Wanger on 12/6/2007. (Lucas, G) (Entered: 12/06/2007)
- 01/30/2008 274 STIPULATION and PROPOSED ORDER Stipulation to Continue Hearing re: Ernie Lipps by USA. (Montoya, Laurel) (Entered: 01/30/2008)
- 02/04/2008 276 NOTICE RE 275 : Notice to Counsel: Document 275 is continuing the hearing for a change of plea as to Ernie Lipps only. (Timken, A) (Entered: 02/04/2008)
- 04/23/2008 325 ORDER re Interlocutory sale of 2006 BMC Bobber 88 Motorcycle VIN: 1B9HB28806B565050, paper tags, registered to Erasmo Silva, signed by Judge Oliver W. Wanger on 04/22/2008. (Kusamura, W) (Entered: 04/23/2008)

04/23/2008)

05/01/2008  329 STIPULATION and PROPOSED ORDER to Continue Sentencing by George Buchholz. (Irigoyen, J.M.) (Entered: 05/01/2008)

05/02/2008  333 OBJECTION to PRESENTENCE REPORT by USA as to Jose Asucion Romo, Ismael Alvarez DeLaMora, Erasmo Silva, Suzanne Barnett, Jose Quintanilla Silva, Nicanor Manera, Miguel Quintero, Dustin Smiley, Wesley Smiley, George Buchholz, Michael Wattenbarger, Ernie Lipps, Rusten Pahl, Ruben Contreras, Sr, Jose Luis Ortiz Hernandez. *Government's Response to Rusten Pahl's Formal Objections* (Attachments: # 1 Exhibit)(Montoya, Laurel) (Entered: 05/02/2008)

05/20/2008  345 PROBATION JURISDICTION (PROBATION 22 Out) TRANSFERRED to Northern District of CA as to Miguel Quintero. Signed by Judge Oliver W. Wangeron 4/28/08. Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. DEFENDANT TERMINATED. CASE CLOSED. (Hellings, J) (Entered: 05/22/2008)

05/22/2008  346 TRANSMITTAL of DOCUMENTS re 345 Probation 22 Out, on \*5/20/2008\* to \* U.S. District Court for the\* \*Northern District of CA\* \*450 Golden Gate Avenue\* \*San Francisco, CA 94102-3489\*. \*Certified Copies of Indictment, Judgment and Docket Sheet\*. (Hellings, J) (Entered: 05/22/2008)